

Application No.: 09/755714

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Remarks

Claims 1-19, 22-27, and 30-38 are pending. Claims 20-21 and 28-30 have been canceled without prejudice to their underlying subject matter. Claims 17 and 34-38 are amended. Favorable reconsideration of this application as amended is requested.

I. Drawings

Replacement sheets illustrating changes to Figures 1 and 4 are submitted herewith and Figure 1 now includes a reference number 103 for a processor. Figure 4 now includes a reference number 102 for the display and reference number 111 for interrogation areas. The specification has also been amended to reflect these reference numbers. Applicants respectfully request acceptance of such replacement sheets and corresponding amendments to the specification. Applicants also request that the objection to the drawings under 37 CFR 1.83(a) be withdrawn.

II. Specification

The specification was objected to because it contained an embedded hyperlink and/or other form of browser-executable code. The specification has been amended to remove such references. Applicants respectfully request that such objection be withdrawn.

The specification was objected to as failing to provide proper antecedent basis for the claimed subject matter under 37 CFR 1.75(d)(1) and MPEP 608.01(o). In regards to RFID interrogation source, in the specification on page 2, lines 13-16 it states, "the contents of allowed copending U.S. application serial number 09/368,826, filed August 5, 1999, is incorporated herein by reference. That application describes a number of uses and configurations for such a portable RFID reader." This U.S. application that is incorporated by reference provides antecedent basis for the claimed subject matter. For example, on page 10, lines 4-14, the application states:

In operation, as shown in Figure 4, the radio frequency-responsive tag 110 is interrogated by an EAS security system 100, which is typically located near the point at which the tags are to be monitored. An interrogation zone may be established by placing spaced detection panels across the exits from the room in which the tagged articles are located, near a conveyor carrying items to be monitored, or the like. Hand held detection devices may also be used. An interrogation source 102 (typically including a drive oscillator and an amplifier) is coupled to an antenna 104 (sometimes described as a field coil) for

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transmitting an alternating radio frequency field, or interrogation signal, in the interrogation zone. The system 100 also includes an antenna for receiving a signal (shown as antenna 104, and sometimes described as a receiving coil) and detector 106 for processing signals produced by tags in the interrogation zone.

In regards to "an interrogation area is shown on the display," claim 17 has been amended to recite "a representation of an interrogation area." In regard to the Office Action's assertion that there is no indication in the specification on how the RFID reader determines its own location or how the RFID reader determines the distance between the RFID reader and an item of interest, Applicants disagree. The section on "The User Interface" in the present application starting at page 4, line 4, provides many examples of how the reader would have information about an interrogation area that it can display. Thus it is not necessary for the reader to be able to determine distances or to know where it is per se to have the features claimed in the subject claims. Claim 17 does not include the limitations of the reader knowing its location or determines distances; these are not necessary elements under the description or as claimed in claim 17. Likewise, claim 17 does not include a limitation of the RFID reader having a long interrogation range. MPEP 608.01(o) states: "The meaning of every term used in any of the claims should be apparent from the descriptive portion of the specification ..." Applicants assert that every term used in claim 17 is apparent from the descriptive portion of the specification, and this requirement is met. As a result, Applicants respectfully request the objection to as failing to provide proper antecedent basis for the claimed subject matter under 37 CFR 1.75(d)(1) and MPEP 608.01(o) be withdrawn.

III. § 112 and § 101 Rejections

Claims 1, 17, 20, 22-24, 28, and 30-31 stand rejected under 35 USC § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards (or Applicants regard) as the invention. The Office Action stated that the RFID interrogation source, antenna, processor, and display lack structural relationship/cooperation with the other elements of the claims and therefore, it is unclear and confusing how these elements form a portable RFID reader for use in interrogating RFID tags. Applicants submit that in the specification on page 2, lines 13-16 it states, "the contents of

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allowed copending U.S. application serial number 09/368,826, filed August 5, 1999, is incorporated herein by reference. That application describes a number of uses and configurations for such a portable RFID reader." This U.S. application that is incorporated by reference provides clear definiteness for the structural relationship/cooperation RFID interrogation source, antenna, processor, and display. The Office Action also states it is unclear what user interface the claims are referring to and that the user interface as claimed seems unrelated to the description. Applicants disagree. The user interface is different means by which the device is able to provide meaningful information to the user of the device. On page 1, lines 23-27 of the specification it states, "The user interface may include one or more of a number of features that provide information to a user, including the graphical representation of items (including the representation of a location of or for one item relative to an area of interrogation), the use of sound, and the use of light." On page 4, lines 11-15 of the specification it states, "The present invention relates to various aspects of a user interface that enables the portable RFID reader to communicate information of interest to a user through graphical or textual information provided by the display, through audio signals, through lights or other visual signals, or through a combination of the foregoing." Claims 1, 17, 20, 22-24, 28, and 30-31 all follow this description of a user interface. Therefore, the user interface as claimed is directly related to the specification. The Office Action states that the user interface is a keypad, keyboard, or touch screen, which is not claimed in any of these claims. Therefore, Applicants submit claims 1, 17, 20, 22-24, 28, and 30-31 are in compliance with 35 USC § 112, second paragraph, and that the rejection should be withdrawn.

Claims 34-38 were rejected under 35 USC § 101 because the claimed recitation of a use, without setting forth any steps involved in the process, resulted in an improper definition of a process. Claims 34-38 have been amended to recite steps in a method. Applicants respectfully request that the rejection of claims 34-38 under 35 USC § 101 be withdrawn.

IV. § 102 Rejections

Claims 1-6, 28-30, 34-38 stand rejected under 35 USC § 102(b) as being anticipated by U.S. Pat. No. 5,640,002 (Ruppert et al.). MPEP §2131 states:

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"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently describe in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the ...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claims.

Applicants disagree that element (e) of claim 1 is disclosed in Ruppert et al. for at least the following reasons. First, Ruppert et al. does not disclose a user interface in which *at least one graphic* may be presented on the display for observation by a user, as the term "graphic" is defined in the specification. On page 4, lines 15-17 of the specification, the term "graphics" and its variants are defined to mean "a visual depiction of information composed primarily of non-characters." The screen 12 of Figures 1 and 13 include only letters and numbers, both of which are characters. For example, the screen 12 of Figures 1 and 13 of Ruppert et al. display a shopping list or grocery list which is made from characters, such as "peanut butter," "milk," "eggs," "bacon," etc. The screen 12 also includes a window 30 listing numbers (i.e. characters) and characters for a user to input changes. The window 30 also includes a subwindow 34, which is made of characters, i.e., "Cheerios," for scanning in new items. The screen 12 also includes budget-related information at the bottom of the screen, which consists of numbers (i.e., characters) and characters. None of these portions of the screen 12, either individually or taken as a whole, include visual depiction of information composed primarily of non-characters as the term "graphic" is defined in relationship to claim 1.

Second, Ruppert et al. does not disclose a user interface in which *at least one graphic associated with the item of interest* may be presented on the display for observation by a user. All of the windows in the screen 12 do not include a graphic associated with the item of interest. Instead, the letters and numbers, both of which are characters, relate to items of interest. Even though the grocery list includes boxes next to items where an "X" may be included, these boxes are not associated with the item of interest. Instead, the boxes are part of presenting the menu and its function that the item has been scanned and is now in the basket. Column 30, lines 4-32 of Ruppert et al., which was cited by the Office Action, does not disclose at least one graphic associated with an item of interest. Instead, this section of Ruppert et al. discloses a user interface that displays menu choices, icons or both from which a user can indicate what action or

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function is desired. Such choices or icons are not about an item of interest. Instead, they are about assisting the user in operating the personal information device 298, such as to determine if the data processing mode is to be terminated (1442) or restoring the display (1444). (See Figure 26M.)

In contrast, two embodiments of the present invention are illustrated in Figure 4 and Figure 2, including a user interface in which at least one graphic associated with the item of interest may be presented on the display for observation by a user. Page 4, lines 19-33 discuss Figure 4 and Figure 2, as follows:

The display portion of the user interface for the RFID reader can include, for operations related to scanning the materials in a given area, a first (preferably graphical) component that illustrates the area or its boundaries, and a second (preferably graphical) component that illustrates a location within that area, such as where within that area a specified material is located, or should be located. Either or both of the components of the user interface may include characters (such as a letter or symbol (a "*", for example)) or graphics (such as a bar, a box, or a picture of a book), for example, or an illuminated or darkened portion of the display, or a flashing area, or the like. For example, if the scanned area is a single book shelf, the first component of the user interface may be a longitudinal bar graphic such as that shown in Figure 4 at 110, and the second component may be a highlighted portion of the bar as shown at 112. If the scanned area consists of multiple book shelves, as shown in Figure 2, then the first component of the user interface may be a graphical representation of multiple book shelves as shown at 130, and the second component may be a highlighted portion 132 of that graphic. .

As a result, contrary to the Office Action's statement that all elements are disclosed in Ruppert et al., element (e) is not; the rejection is unsupported by the art and should be withdrawn. Therefore, claim 1 recites elements not disclosed by Ruppert et al., and should be allowable. Claims 2-6, which depend from claim 1, and add further limitations, should also be allowable. Applicants respectfully request the rejection of claims 1-6 under 35 U.S.C. § 102(b) over Ruppert et al. be withdrawn.

Further, Applicants disagree that Ruppert et al. discloses the recitations of claims 2 and 3.

1+2 { Since there is no graphic, as defined in the specification, then the graphic certainly is not "representative of the item of interest," as recited in claim 2. And, Ruppert et al. does not disclose a "representative of an *area* interrogated by the RFID reader," as recited in claim 3. To illustrate such a feature, for example, in the embodiment of the present invention discussed above related to Figure 4, if the area interrogated by the RFID reader is a single bookshelf, the graphic

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of the user interface may be a longitudinal bar graphic. As another example, in the embodiment of the present invention discussed above related to Figure 2, if the area interrogated by the RFID reader consists of multiple book shelves, then the graphic of the user interface may be a graphical representation of multiple book shelves as shown at 130. Therefore, claims 2 and 3 independently recite elements not disclosed by Ruppert et al., and should be allowable.

Applicants respectfully request the rejection of claims 2-3 under 35 U.S.C. § 102(b) over Ruppert et al. be withdrawn.

In conclusion, the rejection of claims 1-6, under 35 USC § 102(b) as being anticipated by Ruppert et al. has been overcome and should be withdrawn.

Claims 28-30 have been cancelled without prejudice to its underlying subject matter, and as a result, the rejections against claims 28-30 will not be discussed.

In regard to the rejection of claims 34-38, Applicants note that the Office Action only includes a cursory statement that "claims 34-38 recite a method of programming the apparatus of claim 1 and therefore rejected for the same reasons." Applicants respectfully point out that claim 1 does not include a recitation about treating items of interest that are not in a predetermined order as though the items of interest are in the predetermined order (i.e. the recitation of claim 34). Applicants also respectfully point out that claim 1 does not include a recitation about providing specified information regarding each item of interest in a specified order, wherein at least some of the information is selected from the group consisting of a name or title of the item, a serial or call number of the item, and a desired location for the item (i.e. the recitation of claim 37). Lastly, Applicants respectfully point out that claim 1 does not include a recitation about providing specified information regarding a process performed by the RFID reader, wherein at least some of the information being selected from the group consisting of the range of items interrogated, the percentage of items expected to have been interrogated that were not detected, and information indicative of the relative degree of orderliness to the interrogated items. As a result, the reasons applied to claim 1 do not apply to the rejection of claims 34-38. In addition, Ruppert et al. does not teach the recitations of claims 34, 37, and 38 listed above. Therefore, the burden under MPEP §2131 has not been met because not each and every element as set forth in the claims is found, either expressly or inherently describe in the Ruppert et al. reference, nor is the identical invention shown in as complete detail in the Ruppert et al. reference as contained in claims 34-

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38. Claims 35-36, which depend from claim 34, and add further limitations, should also be allowable. Applicants respectfully request the rejection of claim 34-38 over under 35 USC § 102(b) as being anticipated by Ruppert et al. be withdrawn.

In conclusion, the rejection of claims 1-6, 28-30, 34-38 under 35 USC § 102(b) as being anticipated by Ruppert et al. has been overcome and should be withdrawn.

Claims 1-2, 28-30, 34-38 stand rejected under 35 USC § 102(e) as being anticipated by U.S. Pat. No. 6,318,636 (Reynolds et al.). MPEP §2131 states:

"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently describe in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). "The identical invention must be shown in as complete detail as contained in the ...claim." *Richardson v. Suzuki Motor Co.*, 868 F.2d 1226,1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989). The elements must be arranged as required by the claims.

Applicants disagree that element (e) of claim 1 is disclosed in Reynolds et al. for at least the following reason. Reynolds et al. does not disclose a user interface in which *at least one graphic associated with the item of interest* may be presented on the display for observation by a user. Instead, the user interface of Reynolds et al. discloses two sets of light emitting diodes ("LEDs"), which related to either the RFID tag mode or symbol reading operating modes of the reader. That is, the RFID tag set 70 and the symbol related set 72 only indicate whether or not the RFID tag or symbol have been successfully read or not by the reader. For example, the yellow LED 80 in the RFID tag related set 70 flashes during the reading of one of the RFID tags, while the yellow LED 82 in the machine-readable symbol related set 72 flashed during the reading of one of the machine-readable symbols. When the reader successfully reads the RFID tag or machine-readable symbol, the green LED 76, 78 is illuminated, respectively. When the reader is unsuccessfully or incompletely operates, the red LED 84, 86 are illuminated, respectively. Therefore, the reader of Reynolds et al. does not obtain information about the item of interest and then present such information with at least one graphic associated with the item of interest on the display. (See column 7, lines 43-67 of Reynolds et al.)

In contrast, as discussed above in the discussion about Ruppert et al., two embodiments of the present invention are illustrated in Figure 4 and Figure 2, including a user interface in which at least one graphic associated with the item of interest may be presented on the display for

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observation by a user. For example, if the scanned area is a single book shelf, the first component of the user interface may be a longitudinal bar graphic such as that shown in Figure 4 at 110, and the second component may be a highlighted portion of the bar as shown at 112. If the scanned area consists of multiple book shelves, as shown in Figure 2, then the first component of the user interface may be a graphical representation of multiple book shelves as shown at 130, and the second component may be a highlighted portion 132 of that graphic.

As a result, contrary to the Office Action's statement that all elements are disclosed in Reynolds et al., element (e) is not; the rejection is unsupported by the art and should be withdrawn. Therefore, claim 1 recites elements not disclosed by Reynolds et al., and should be allowable. Claim 2, which depends from claim 1, and add further limitations, should also be allowable. Applicants respectfully request the rejection of claims 1-2 under 35 U.S.C. § 102(b) over Reynolds et al. be withdrawn.

Further, Applicants disagree that Reynolds et al. discloses the recitations of claims 2. The LEDs is certainly not "a graphic representative of the item of interest," as recited in claim 2. The LEDs are only indicators of successful or unsuccessful operating mode of the reader. They are no representatives of the item of interest. Therefore, claim 2 independently recites elements not disclosed by Reynolds et al., and should be allowable. Applicants respectfully request the rejection of claim 2 under 35 U.S.C. § 102(e) over Reynolds et al. be withdrawn.

Claims 28-30 have been cancelled without prejudice to its underlying subject matter, and as a result, the rejections against claims 28-30 will not be discussed.

In regard to the rejection of claims 34-38, Applicants note that the Office Action only includes a cursory statement that "claims 34-38 recite a method of programming the apparatus of claim 1 and therefore rejected for the same reasons." Applicants respectfully point out that claim 1 does not include an recitation about treating items of interest that are not in a predetermined order as though the items of interest are in the predetermined order (i.e. the recitation of claim 34). Applicants also respectfully point out that claim 1 does not include a recitation about providing specified information regarding each item of interest in a specified order, wherein at least some of the information is selected from the group consisting of a name or title of the item, a serial or call number of the item, and a desired location for the item (i.e. the recitation of claim 37). Lastly, Applicants respectfully point out that claim 1 does not include a recitation about providing

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specified information regarding a process performed by the RFID reader, wherein at least some of the information being selected from the group consisting of the range of items interrogated, the percentage of items expected to have been interrogated that were not detected, and information indicative of the relative degree of orderliness to the interrogated items. As a result, the reasons applied to claim 1 do not apply to the rejection of claims 34-38. In addition, Reynolds et al. does not teach the recitations of claims 34, 37, and 38 listed above. Therefore, the burden under MPEP §2131 has not been met because not each and every element as set forth in the claims is found, either expressly or inherently describe in the Reynolds et al. reference, nor is the identical invention shown in as complete detail in the Reynolds et al. reference as contained in claims 34-38. Claims 35-36, which depend from claim 34, and add further limitations, should also be allowable. Applicants respectfully request the rejection of claim 34-38 over under 35 USC § 102(e) as being anticipated by Reynolds et al. be withdrawn.

In conclusion, the rejection of claims 1-2 and 34-38 under 35 USC § 102(e) as being anticipated by Reynolds et al. has been overcome and should be withdrawn.

V. § 103 Rejections

Claims 7-17, 24-25, and 28-30 stands rejected under 35 USC § 103(a) as being unpatentable over U.S. Pat. No. 5,640,002 (Ruppert et al.). Claims 7-16 all ultimately depend from claim 1, which allowable for reasons given in the above in Section IV. Therefore, claims 7-16 which depend from claim 1, and add further limitations, should also be allowable. Applicants respectfully request the rejection of claims 7-16 under 35 U.S.C. § 103(a) of Ruppert et al. be withdrawn.

In regards to claim 17, claim 17 reads recites "a user interface in which an interrogation area is shown on the display as a first graphical component of the user interface, and an item of interest is shown on the display as a second graphical component of the user interface relative to the first graphical component to indicate a location within the interrogation area. Applicants believe independent claim 17, is allowable over Ruppert et al. for at least the following reasons.

First, Ruppert et al. does not disclose a user interface in which *a first graphical component* and a *second graphical component* are shown on the display, as the term "graphic" and its variants are defined in the specification. As discussed above in Section IV, the screen 12

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of Figures 1 and 13 include only letters and numbers, both of which are characters. None of the different portions of the screen 12, either individually or taken as a whole, include visual depiction of information composed primarily of non-characters as the term "graphic" is defined in relationship to claim 17.

Second, Ruppert et al. does not disclose a user interface in which *an interrogation area* is shown on the display as a *first graphical component* and *an item of interest* is shown on the display as a *second graphical component*. As discussed above in Section IV, all of the windows in the screen 12 do not include a nor do the windows in the screen 12 show a graphic of an interrogation area, nor do the windows show graphics associated with the item of interest. Ruppert et al. makes no mention whatsoever of illustrating an interrogation area on the display. In addition, the windows of Ruppert et al. only include letters and numbers, both of which are characters. Even though the grocery list includes boxes next to items where an "X" may be included, these boxes are not associated with the item of interest. Instead, the boxes are part of presenting the menu and its function that the item has been scanned and is now in the basket. Column 30, lines 4-32 of Ruppert et al., which was cited by the Office Action in relationship to claim 1 and was supposedly applied to claim 17, does not disclose at least one graphic associated with an item of interest. Instead, this section of Ruppert et al. discloses a user interface that displays menu choices, icons or both from which a user can indicate what action or function is desired. Such choices or icons are not about an item of interest. Instead, they are about assisting the user in operating the personal information device 298, such as to determine if the data processing mode is to be terminated (1442) or restoring the display (1444). (See Figure 26M.)

In contrast, as discussed above in Section IV, two embodiments of the present invention are illustrated in Figure 4 and Figure 2, including a user interface in which at least one graphic associated with the item of interest may be presented on the display for observation by a user. For example, if the scanned area is a single book shelf, the first component of the user interface may be a longitudinal bar graphic such as that shown in Figure 4 at 110, and the second component may be a highlighted portion of the bar as shown at 112. If the scanned area consists of multiple book shelves, as shown in Figure 2, then the first component of the user interface may be a graphical representation of multiple book shelves as shown at 130, and the second component may be a highlighted portion 132 of that graphic.

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Therefore, independent claim 17 recites elements not shown, taught, or suggested by the cited reference and should be allowable. Applicants respectfully request the rejection of claim 17 under 35 U.S.C. § 103(a) of Ruppert et al. be withdrawn.

In regard to claim 22, Applicants note that the first sentence of section 12 of the Office Action does not list claim 22 as rejected. However, page 10 of the Office Action includes a discussion about claim 22. Therefore, Applicants are proceeding under this assumption. Claim 22 recites "a user interface in which an audio signal is produced when the RFID reader interrogates an RFID tag associated with a predetermined location." Applicants believe independent claim 22, is allowable over Ruppert et al. for at least the following reasons. First, Ruppert et al. does not show, teach or suggest an RFID tag associated with a predetermined location. Second, Ruppert et al. does not show, teach or suggest a user interface producing an audio signal when the RFID reader interrogates the RFID tag associated with the predetermined location. Instead, Ruppert et al. teaches that if the read of a bar code was good, then there is a visible or audible indication of a good read. (See, Ruppert et al., column 60-64.) In fact, this audible indication of a good read is taught by Ruppert et al. only as it relates to bar codes, not as it relates to RFID tags. Ruppert et al. teaches that when RFID tags do not have a good read, a number of retries is attempted and then if the maximum numbers of retries has occurred, then block 1413 is performed to shut down the RFID tag reader. (See, Ruppert et al., column 29, lines 30-43.) Therefore, it is not obvious, based on the teachings of Ruppert et al., to provide an audible indication on an interrogated RFID tag, as asserted in the Office Action in section 12 regarding claims 7-11, which supposedly applies to claim 22. If anything, Ruppert et al. teaches away from such a combination. Therefore, independent claim 22 recites elements not shown, taught, or suggested by the cited reference and should be allowable. Applicants respectfully request the rejection of claim 22 under 35 U.S.C. § 103(a) of Ruppert et al. be withdrawn.

The rejection of claim 24 in the Office Action relies on the arguments made in relationship to claim 13 and 14, which relied on the teachings of column 27, lines 60-64 of Ruppert et al. As mentioned above, in this section Ruppert et al. teaches that if the read of a bar code was good, then there is a visible or audible indication of a good read. In fact, this visible indication of a good read is taught by Ruppert et al. only as it relates to bar codes, not as it relates to RFID tags. Ruppert et al. teaches that when RFID tags do not have a good read, a number of

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retries is attempted and then if the maximum numbers of retries has occurred, then block 1413 is performed to shut down the RFID tag reader. (See, Ruppert et al., column 29, lines 30-43.) Therefore, it is not obvious, based on the teachings of Ruppert et al., to provide a visible indication on an interrogated RFID tag, as asserted in the Office Action. If anything, Ruppert et al. teaches away from such a combination. Therefore, independent claim 24 recites elements not shown, taught, or suggested by the cited reference and should be allowable. Claim 25, which depends from claim 24 and adds more limitations, is likewise allowable. Applicants respectfully request the rejection of claims 24 and 25 under 35 U.S.C. § 103(a) of Ruppert et al. be withdrawn.

Claims 28-30 have been cancelled without prejudice to its underlying subject matter, and as a result, the rejections against claims 28-30 will not be discussed.

In conclusion, the rejection of claims 7-17 and 22, 24-25 under 35 USC § 103(a) has been overcome and should be withdrawn.

Claims 18-21 and 26-27 stands rejected under 35 USC § 103(a) as being unpatentable over US 5,640,002 (Ruppert et al.) in view of US 6,318,636 (Reynolds et al.).

Claims 18-19 depend from claim 17, which is allowable for the reasons given above. Therefore, claims 18-19, which add more limitations, is likewise allowable. Moreover, neither Ruppert et al. or Reynolds et al. show, teach or suggest a first graphical component as a bar, where the bar represents an interrogation area, or a second graphical component as a portion of the bar, where the portion of the bar represents an item of interest, as recited in claim 18. Therefore, claim 18 recites elements not shown, taught, or suggested by the cited reference and should be allowable. Applicants respectfully request the rejection of claims 18 and 19 under 35 U.S.C. § 103(a) of Ruppert et al. over Reynolds be withdrawn.

Claims 20-21 have been cancelled without prejudice to its underlying subject matter, and as a result, the rejections against claims 20-21 will not be discussed.

Claims 26-27 depend from claim 24, which is allowable for the reasons given above. Therefore, claims 26-27, which add more limitations, is likewise allowable. Moreover, neither Ruppert et al. or Reynolds et al. show, teach or suggest a reader where at least one light remains illuminated while RFID tags are being interrogated, and at least one other light is illuminated only when an RFID tag associated with an item meeting a predetermined criterion is illuminated,

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as recited in claim 26. Lastly, neither Ruppert et al. or Reynolds et al. show, teach or suggest a reader, where the user interface includes more than one light, and the lights are illuminated sequentially as the RFID reader approaches a desired location or material of interest, as recited in claim 27. Therefore, claims 26 and 27 recite elements not shown, taught, or suggested by the cited reference and should be allowable. Applicants respectfully request the rejection of claims 26 and 27 under 35 U.S.C. § 103(a) of Ruppert et al. over Reynolds be withdrawn.

In conclusion, the rejection of claims 18-19 and 26-27 under 35 USC § 103(a) as being unpatentable over Ruppert et al. has been overcome and should be withdrawn.

VI. Presumption of Allowable Claims

Applicants presume that claims 23 and 31-33 are currently allowed because there was no discussion anywhere in the Office Action about such claims being rejected under 35 USC § 102 or 103.


In view of the above, it is submitted that the application is in condition for allowance. Reconsideration of the application is requested.

Respectfully submitted,

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Date

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